

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

DEAN L KNIGHT, KATHERINE E  
MEYER,

Plaintiffs,

vs.

NASH-FINCH COMPANY,

Defendant.

**8:12CV404**

**MEMORANDUM AND ORDER**

The defendant has moved for an additional thirty days, or until January 4, 2013, to file its answer or response to the plaintiffs' complaint. The defendant asserts that the current response deadline is 30 days it received service of the complaint, that being December 5, 2012.

Under the federal rules, the defendant's actual response deadline is 21 days following service (Fed.R.Civ.P 12(a) & 81(c)(2)(A)), that being November 26, 2012. Thirty days thereafter is December 26, 2012.

Accordingly,

IT IS ORDERED:

- 1) The defendant's motion to continue, (Filing No. 2), is granted in part.
- 2) On or before December 26, 2012, the defendant shall answer or otherwise respond to the plaintiff's complaint.

November 20, 2012.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge